

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.10344 OF 2019

ORDER:

This writ petition is being disposed of at the admission stage with the consent of both parties.

This writ petition is filed seeking a writ of Mandamus declaring the impugned Selection Notification dated 04.04.2019 of provisionally selected candidates for appointment to the post of Secondary Grade Teacher under notification No.53/2017 dated 21.10.2018 in the 1st respondent department published by the 2nd respondent excluding the hall ticket number of the petitioner, who is more meritorious than several other selected candidates in the ST agency area reserved category in Adilabad District, even though the petitioner obtained merit in the selection process and has submitted all the relevant certificates, as arbitrary, illegal, unjust, improper and contrary to the rules and violative of Articles 14, 16 and 21 of the Constitution of India and consequentially set aside the same to the extent of the petitioner by further directing the respondents to select and appoint the petitioner to the post of Secondary Grade Teacher as per his merit in ST Agency area reserved category in Adilabad District pursuant to the notification No.53 of 2017, dated 21.10.2017.

Heard Sri S. Surender Reddy, learned counsel for the petitioner and Sri D. Bala Kishan Rao, learned Standing Counsel appearing for the 2nd respondent.

It has been contended by the petitioner that he is fully eligible and qualified to be appointed to the post of Secondary Grade Teacher and the petitioner is a member belonging to the ST Agency area. The petitioner further contends that the 2nd respondent had issued notification No.53/17 dated 21.10.2017 to fill up the post of Secondary Grade Teacher and the petitioner responded to the said notification. The petitioner has secured decent marks in the said selection. The petitioner further contends that the respondents instead of selecting the petitioner, who secured meritorious marks, selected some less meritorious candidates. In those circumstances, the petitioner submitted a representation on 08.04.2019 to the 2nd respondent requesting to consider his appointment to the post of Secondary Grade Teacher, as he has secured more marks than the selected candidates. But, so far no orders are passed thereon. Therefore, the learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner and pass appropriate orders thereon in accordance with law.

Learned Standing Counsel appearing for the 2nd respondent had contended that the representation of the

petitioner would be considered and appropriate orders would be passed thereon.

This Court, having considered the submissions of the learned counsel for respective parties, is of the considered view that this writ petition can be disposed of directing the 2nd respondent to consider the representation submitted by the petitioner on 08.04.2019 and pass appropriate orders thereon in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Dated: 15th May, 2019
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